



Denis Rancourt <denis.rancourt@gmail.com>

Draft Costs Order

Semenova, Anastasia <Anastasia.Semenova@gowlings.com>

22 August 2014 13:07

To: Denis Rancourt <denis.rancourt@gmail.com>

Cc: "Dearden, Richard" <Richard.Dearden@gowlings.com>

Mr. Rancourt,

Please find attached a draft Costs Order (Costs of Trial) for your approval as to form and content.

Yours truly,

Anastasia Semenova

Ottawa / Associate

Tel./Tél. 613-786-0207

anastasia.semenova@gowlings.com

Gowling Lafleur Henderson S.E.N.C.R.L., s.r.l. / LLP**Lawyers • Patent and Trade-mark Agents****Avocats • Agents de brevets et de marques de commerce**

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**St. Lewis v Rancourt - Draft Costs Order (Costs of Trial)-OTT_LAW-4585319-v1.PDF**

6K

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE JUSTICE
MICHEL Z. CHARBONNEAU

)
)

Thursday, the 21st day of August, 2014

B E T W E E N:

JOANNE ST. LEWIS

Plaintiff

- and -

DENIS RANCOURT

Defendant

ORDER

THIS COSTS DECISION on the costs of the trial of the action was heard by written submissions.

ON READING of the Costs Submissions of the Plaintiff filed on June 25, 2014, the Response Submissions of the Defendant filed on July 4, 2014, and the Reply Submissions of the Plaintiff filed on August 1, 2014,

1. **THIS COURT ORDERS** the Defendant to pay costs to the Plaintiff in the amount of \$444,895.00, inclusive of disbursements and taxes.
2. **THIS COURT ORDERS** the Defendant to pay to the Plaintiff post-judgment interest on the amount of costs awarded in accordance with section 129 of the *Courts of Justice Act* at a rate of 3% per annum.

The Honourable Justice Michel Z. Charbonneau

Joanne St. Lewis

- and -
Plaintiff

Denis Rancourt

Defendant

Court File No. 11-51657

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT
OTTAWA

ORDER

GOWLING LAFLEUR HENDERSON LLP

Barristers & Solicitors

Suite 2600

160 Elgin Street

Ottawa ON K1P 1C3

Tel: (613) 786-0135

Fax: (613) 788-3430

Richard G. Dearden (LSUC #019087H)

Anastasia Semenova (LSUC#60846G)

Counsel for the Plaintiff



Denis Rancourt <denis.rancourt@gmail.com>

Draft Costs Order

Denis Rancourt <denis.rancourt@gmail.com>

24 August 2014 21:43

To: "Semenova, Anastasia" <Anastasia.Semenova@gowlings.com>

Dear Ms. Semenova:

I intend to reply to you by Monday August 25, 2014, or by Tuesday August 26, 2014.

Thank you.

dgr

On 22 August 2014 13:07, Semenova, Anastasia <Anastasia.Semenova@gowlings.com> wrote:

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Please find attached a draft Costs Order (Costs of Trial) for your approval as to form and content.

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Denis Rancourt <denis.rancourt@gmail.com>

Draft Costs Order

Denis Rancourt <denis.rancourt@gmail.com>

26 August 2014 11:23

To: "Semenova, Anastasia" <Anastasia.Semenova@gowlings.com>

Dear Ms. Semenova:

I intend to respond concerning the draft Order within a few days or so after my recent request to the Court to change the Endorsement On Costs has been finally determined. I trust that is satisfactory.

Denis Rancourt

On 25 August 2014 09:47, Semenova, Anastasia <Anastasia.Semenova@gowlings.com> wrote:

Thank you, Mr. Rancourt.

Anastasia Semenova

Ottawa / Associate

Tel./Tél. [613-786-0207](tel:613-786-0207)

gowlings.com

From: Denis Rancourt [<mailto:denis.rancourt@gmail.com>]

Sent: August-24-14 9:43 PM

To: Semenova, Anastasia

Subject: Re: Draft Costs Order

Dear Ms. Semenova:

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dgr

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Denis Rancourt <denis.rancourt@gmail.com>

Justice Charbonneau

Johanson, Tina (JUD) <Tina.Johanson@ontario.ca>

28 August 2014 16:22

To: "richard.dearden@gowlings.com" <richard.dearden@gowlings.com>, "denis.rancourt@gmail.com" <denis.rancourt@gmail.com>

Cc: "anastasia.semenova@gowlings.com" <anastasia.semenova@gowlings.com>

Good afternoon,

I am writing at the direction of Justice Charbonneau to advise you that His Honour now considers himself *functus* and that this matter is now in the hands of the Ontario Court of Appeal. As such, His Honour will not entertain a motion from either party to this matter.

Sincerely,

Tina Johanson

Trial Coordinator | Coordonnatrice du rôle

Criminal/Civil Division | divisions criminelles/civiles

Ontario Superior Court of Justice | Cour supérieure de justice de l'Ontario

Ministry of the Attorney General | Ministère du procureur général

161 Elgin Street, Room | Pièce 5300, Ottawa, Ontario, K2P 2K1

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Tina.Johanson@ontario.ca

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BY HAND

Richard G Dearden
Direct 613-786-0135
Direct Fax 613-788-3430
richard.dearden@gowlings.com

August 29, 2014

The Honourable Justice Michel Charbonneau
Ontario Superior Court of Justice
Ottawa Court House, 5th Floor
161 Elgin Street
Ottawa, ON K2P 2K1

Your Honour:

Re: St. Lewis v Rancourt
ONSC Court File No. 11-51657

Please find enclosed a draft Order (Costs of Trial) pursuant to your *Endorsement On Costs* dated August 21, 2014. The draft Order was sent to Mr. Rancourt for approval on August 22, 2014. Mr. Rancourt responded in the attached August 26th email that he would not comment until after his recent request to the Court to change the *Endorsement On Costs* has been finally determined. We have not received a subsequent response from Mr. Rancourt.

Yours truly,

Richard G Dearden

RGD/AS
Enclosure

cc: Denis Rancourt

OTT_LAW\4602634\1

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE JUSTICE
MICHEL Z. CHARBONNEAU

)
)

Thursday, the 21st day of August, 2014

B E T W E E N:

JOANNE ST. LEWIS

Plaintiff

- and -

DENIS RANCOURT

Defendant

ORDER

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The Honourable Justice Michel Z. Charbonneau

Joanne St. Lewis

Plaintiff

- and - Denis Rancourt

Defendant

Court File No. 11-51657

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ORDER

GOWLING LAFLUEUR HENDERSON LLP
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Richard G. Dearden (LSUC #019087H)
Anastasia Semenova (LSUC#60846G)

Counsel for the Plaintiff

Semenova, Anastasia

From: Denis Rancourt [denis.rancourt@gmail.com]
Sent: August-26-14 11:24 AM
To: Semenova, Anastasia
Subject: Re: Draft Costs Order

Dear Ms. Semenova:

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Ottawa / Associate
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Denis Rancourt <denis.rancourt@gmail.com>

Professor St. Lewis v Denis Rancourt

Johanson, Tina (JUD) <Tina.Johanson@ontario.ca>

29 August 2014 14:28

To: Denis Rancourt <denis.rancourt@gmail.com>, "Dearden, Richard" <Richard.Dearden@gowlings.com>

Cc: "Semenova, Anastasia" <Anastasia.Semenova@gowlings.com>

Good afternoon,

Please see Justice Charbonneau's direction in italics below:

"I will sign the formal order as long as it conforms to my decision set out in the conclusion to my endorsement. That is not a new decision. Although the draft provided by Mr. Dearden appears correct as to form and content, if Mr. Rancourt believes otherwise he can so advise before I sign next Tuesday. He must understand we are only talking about the formal order not the reasons nor the decision itself. Those will not be changed. Any complaint about those will have to dealt with by the Court of Appeal."

Sincerely,

Tina Johanson

SCJ Trial Coordinator / Coordonnatrice du rôle SCJ

Criminal and Civil Divisions / divisions criminelles et civiles

Tina.Johanson@ontario.ca

From: Denis Rancourt [mailto:denis.rancourt@gmail.com]

Sent: August-29-14 12:37 PM

To: Dearden, Richard

Cc: Semenova, Anastasia; Johanson, Tina (JUD)

Subject: Re: Professor St. Lewis v Denis Rancourt

Mr. Dearden -- You appear to have missed the following parts of the recent email messages:

----- Forwarded message -----

From: Denis Rancourt <denis.rancourt@gmail.com>

Date: 29 August 2014 12:26

Subject: Re: Professor St. Lewis v Denis Rancourt

To: "Johanson, Tina (JUD)" <Tina.Johanson@ontario.ca>

Cc: "Semenova, Anastasia" <Anastasia.Semenova@gowlings.com>, richard dearden <richard.dearden@gowlings.com>

Ms. Johanson -- Thank you. I will not act further on the matter of a draft Order until I am advised by you about Justice Charbonneau's reply to my concerns.

Denis Rancourt

On 29 August 2014 12:21, Johanson, Tina (JUD) <Tina.Johanson@ontario.ca> wrote:

Mr. Rancourt,

I have forwarded your concerns to His Honour and will advise all parties of his reply once received.

Thank you,

Tina Johanson

SCJ Trial Coordinator / Coordonnatrice du rôle SCJ

Criminal and Civil Divisions / divisions criminelles et civiles

Tina.Johanson@ontario.ca

From: Denis Rancourt [<mailto:denis.rancourt@gmail.com>]

Sent: August-29-14 12:19 PM

To: Johanson, Tina (JUD)

Cc: Semenova, Anastasia; richard dearden

Subject: Re: Professor St. Lewis v Denis Rancourt

Ms. Johanson -- I do not agree with the form and content of Mr. Dearden's draft Order. I had understood that Justice Charbonneau was *functus* on all matters in the action. I will send Mr. Dearden my changes for the draft order by

tomorrow. Please inform Justice Charbonneau accordingly.

Denis Rancourt

On 29 August 2014 10:14, Dearden, Richard <Richard.Dearden@gowlings.com> wrote:

Good morning Ms. Johanson – please forward the attached letter to Justice Charbonneau which includes a draft costs Order.

Richard Dearden

Partner

T 613-786-0135

richard.dearden@gowlings.com

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Mr. Rancourt – Justice Charbonneau signs the cost Order and you know that as you have been a party to numerous costs Orders issued against you the past 3 years. If you have objections to the draft Order you convey those objections to Justice Charbonneau through Ms. Johanson and cc me.

Richard Dearden

Partner

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BY EMAIL

September 2, 2014

Justice Michel Charbonneau
Ontario Superior Court of Justice
161 Elgin Street
Ottawa ON K2P 2K1

Your Honour:

Re: *St. Lewis v. Rancourt*
 Court File No. 11-51657
 • Draft order on costs of the trial

1. This is in response to Your Honour's invitation dated August 29, 2014 (attached), that I submit my suggestions for the draft order on costs of the trial.
2. Your honour has refused to consider my requests and submissions of August 25, 2014, and of August 27, 2014, about the costs endorsement, by ruling on August 28, 2014 (attached) that Your Honour is *functus* in the matter, yet now Your Honour will make an order on costs, following the plaintiff's August 29, 2014, request to do so.
3. Therefore, as directed, I hereby make my requested additions for the draft order, limited to the Endorsement On Costs dated August 21, 2014, with which I nonetheless continue to disagree.
4. My suggested draft order is attached, as both a Word file, and a PDF file.

Yours truly,



Dr. Denis Rancourt
(Defendant)
denis.rancourt@gmail.com

Cc: Richard Dearden, Counsel for the Plaintiff (by email)

Encl.



Denis Rancourt <denis.rancourt@gmail.com>

Professor St. Lewis v Denis Rancourt

Johanson, Tina (JUD) <Tina.Johanson@ontario.ca>

29 August 2014 14:28

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Cc: "Semenova, Anastasia" <Anastasia.Semenova@gowlings.com>, richard dearden <richard.dearden@gowlings.com>

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Partner

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Justice Charbonneau

Johanson, Tina (JUD) <Tina.Johanson@ontario.ca>

28 August 2014 16:22

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Tina.Johanson@ontario.ca

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**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE JUSTICE
MICHEL Z. CHARBONNEAU

)
)

Thursday, the 21st day of August, 2014

B E T W E E N:

JOANNE ST. LEWIS

Plaintiff

- and -

DENIS RANCOURT

Defendant

ORDER

THIS COSTS DECISION on the costs of the trial of the action was heard by written submissions.

ON READING of the Costs Submissions of the Plaintiff filed on June 25, 2014, the Response Submissions of the Defendant filed on July 4, 2014, and the Reply Submissions of the Plaintiff filed on August 1, 2014,

1. **THIS COURT ORDERS** the Defendant to pay costs to the Plaintiff in the amount of \$444,895.00, inclusive of disbursements and taxes.
2. **THIS COURT ORDERS** the Defendant to pay to the Plaintiff post-judgment interest on the amount of costs awarded in accordance with section 129 of the *Courts of Justice Act* at a rate of 3% per annum.

3. **THIS COURT ORDERS** that the contempt hearing set for September 25, 2014, is cancelled.

4. **THIS COURT ORDERS** that the plaintiff may, within 20 days, bring a motion for contempt at a convenient date to be set by the trial coordinator after discussion with both parties.

The Honourable Justice Michel Z. Charbonneau

Joanne St. Lewis

- and -
Plaintiff Defendant

Denis Rancourt

Court File No. 11-51657

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT
OTTAWA

ORDER

DENIS RANCOURT

Defendant

35 Simcoe Street

Ottawa ON K1S 1A3

Tel: (613) 237-9600 (h)

Email: denis.rancourt@gmail.com



Denis Rancourt <denis.rancourt@gmail.com>

Order- St. Lewis v. Rancourt

Johanson, Tina (JUD) <Tina.Johanson@ontario.ca>

5 September 2014 09:06

To: "richard.dearden@gowlings.com" <richard.dearden@gowlings.com>, "denis.rancourt@gmail.com"

<denis.rancourt@gmail.com>

Cc: "anastasia.semenova@gowlings.com" <anastasia.semenova@gowlings.com>

Good morning,

I am writing to advise you that Justice Charbonneau has signed the Order on costs in this matter. Mr. Dearden, you can come and pick-up the original order in order to have it taken out at my office and I have attached a copy for your records Mr. Rancourt.

Thank you,

Tina Johanson

Trial Coordinator | Coordonnatrice du rôle

Criminal/Civil Division | divisions criminelles/civiles

Ontario Superior Court of Justice | Cour supérieure de justice de l'Ontario

Ministry of the Attorney General | Ministère du procureur général

161 Elgin Street, Room | Pièce 5300, Ottawa, Ontario, K2P 2K1

Tel. | tél. (613) 239-1585

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Tina.Johanson@ontario.ca

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Rancourt-draft-Order--costs-of-the-trial--11-51657.docx

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**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE JUSTICE
MICHEL Z. CHARBONNEAU

)
)

Thursday, the 21st day of August, 2014

B E T W E E N:

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Plaintiff

- and -

DENIS RANCOURT

Defendant

ORDER

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The Honourable Justice Michel Z. Charbonneau

Joanne St. Lewis

- and -
Plaintiff Defendant

Denis Rancourt

Court File No. 11-51657

ONTARIO
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PROCEEDING COMMENCED AT
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DENIS RANCOURT

Defendant

35 Simcoe Street

Ottawa ON K1S 1A3

Tel: (613) 237-9600 (h)

Email: denis.rancourt@gmail.com



Denis Rancourt <denis.rancourt@gmail.com>

Order- St. Lewis v. Rancourt

Semenova, Anastasia <Anastasia.Semenova@gowlings.com>

5 September 2014 10:53

To: Denis Rancourt <denis.rancourt@gmail.com>

Cc: "Dearden, Richard" <Richard.Dearden@gowlings.com>

Mr. Rancourt, please see the attached copy of the signed and entered Order of Justice Charbonneau.

Anastasia Semenova

Ottawa / Associate

Tel./Tél. 613-786-0207

gowlings.com

From: Denis Rancourt [mailto:denis.rancourt@gmail.com]

Sent: September-05-14 9:57 AM

To: Johanson, Tina (JUD)

Cc: Dearden, Richard; Semenova, Anastasia

Subject: Fwd: Order- St. Lewis v. Rancourt

Re: Costs-of-trial and contempt-hearing Order, File No 11-51657, St. Lewis v. Rancourt

Ms. Johanson -- Thank you for this update. Please send me a copy of the signed-and-entered order, as I require this for the appeal.

Denis Rancourt

----- Forwarded message -----

From: **Johanson, Tina (JUD)** <Tina.Johanson@ontario.ca>

Date: 5 September 2014 09:06

Subject: Order- St. Lewis v. Rancourt

To: "richard.dearden@gowlings.com" <richard.dearden@gowlings.com>, "denis.rancourt@gmail.com" <denis.rancourt@gmail.com>

Cc: "anastasia.semenova@gowlings.com" <anastasia.semenova@gowlings.com>

Good morning,

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records Mr. Rancourt.

Thank you,

Tina Johanson

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St. Lewis v Rancourt – Order (Aug. 21, 2014, entered Sept. 5, 2014)-OTT_LAW-4617057-v1.PDF

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**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE JUSTICE
MICHEL Z. CHARBONNEAU

)
)

Thursday, the 21st day of August, 2014

B E T W E E N:

JOANNE ST. LEWIS

Plaintiff

- and -

DENIS RANCOURT

Defendant

ORDER

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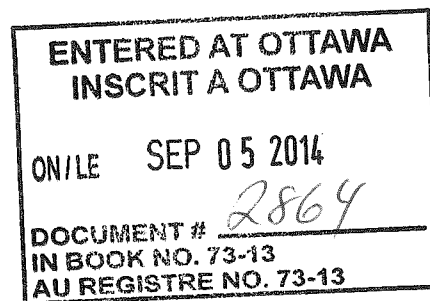
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The Honourable Justice Michel Z. Charbonneau



Joanne St. Lewis

Plaintiff

- and - Denis Rancourt

Defendant

Court File No. 11-51657

ONTARIO
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